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2 MINUTES OF THE MERCER COUNTY AGRICULTURAL DEVELOPMENT BOARD  
3 MEETING HELD MONDAY MAY 7, 2007  
4 IN THE EXTENSION SERVICE BUILDING  
5 930 SPRUCE STREET, TRENTON, N.J.  
6 2ND FLOOR CONFERENCE ROOM  
7

8 I. CALL TO ORDER

9 Chairwoman Nancy Tindall called the meeting to order at 7:35 PM.  
10

11 II. COMPLIANCE STATEMENT

12 Pursuant to the Open Public Meetings Act, notice of this meeting was given to the Trenton Times,  
13 Trentonian, Mercer County Clerk, and posted in the Mercer County Administration Building.  
14

15 III. ROLL CALL

16 A. Voting Members:

17 Nancy Tindall, Chairwoman - Present  
18 Steve Jany, Vice-Chairman - Present  
19 Earl Tindall - Absent  
20 Peggy McNeill – Present  
21 Charles Appelget – Present  
22 Charles Bryan – Present  
23

24 B. Non -Voting Members:

25 County Planning Board – Vacant  
26 Rutgers Cooperative Research and Extension – Jhilson Ortiz absent  
27

28 C. Others Present:

29 Dan Knox, SADC observer  
30 Dan Pace, MCADB Secretary  
31 Leslie Floyd, Assistant County Planning Director  
32 Scott Ellis  
33

34 IV. APPROVAL OF MINUTES

35 Ms. Tindall asked for a motion to approve the March 5, 2007 minutes. Mr. Jany moved the  
36 approval. Mr. Appelget seconded. The minutes were approved with Mr. Bryan abstaining. Ms.  
37 Tindall asked for a motion to approve the April 9, 2007 Joint Meeting with the County Board of  
38 Agriculture minutes. Mr. Jany moved the approval. Ms. McNeill seconded. The minutes were  
39 approved with Mr. Appelget abstaining.  
40

41 V. PUBLIC COMMENT

42 No public comment. Ms. Tindall took the opportunity to welcome Mr. Ellis to the meeting as a  
43 guest and explained that although the County Executive has appointed him, he must still be  
44 sworn-in.  
45

46 VI. CORRESPONDENCE

- 47 • Staff reported to the Board on a letter from Ric Weidel requesting action on his  
48 previously stated desire to relocate an Exception area on a preserved farm. The relocation  
49 is requested because the Exception does not perc. Immediately after receiving the letter,  
50 staff discussed it with his attorney. Staff believes that the probability is high that the  
51 SADC will implement a policy this year that would allow septic systems off Exceptions  
52 under conditions like this. It appeared that the attorney was of the same mind and he said  
53 that he would discuss with Ric the advantage of waiting for a septic policy from the  
54 SADC.  
55

- Staff circulated an email and new monthly newsletter from the Rutgers Ag Experiment Station.

## VII. COMMITTEE AND STAFF REPORTS

### A. SADC

1. Staff supplied members with copies of additional documentation that Ms. Tindall had requested from Dave Kimmel of the SADC after his and Gary Mount's presentation before the joint Board of Ag/CADB meeting on farmland affordability. Ms. Tindall welcomed any comments from the Board after they had a chance to look over this additional material and suggested that they could be forwarded to Mr. Kimmel and Mr. Mount.
2. Staff showed a slide presentation, taken from the SADC website, on the re-proposed equine rules. The slides solicited many questions and comments from the members. Some of which were:
  - It was unclear how the percentage of asphalt and concrete surfaces related to the percentage of equine related infrastructure. It was also unclear why asphalt and concrete flooring within equine structures should be calculated when the area of the structure was already being calculated.
  - That the allowable percentage for equine related infrastructure should be consistent throughout the rules.
  - It was unclear whether or not outdoor tracks have an impact on equine related infrastructure calculations.
  - It was unclear if existing equine related infrastructure in a farmland preservation application that exceeds the preserved farm threshold of 15% would make the application ineligible.

Board members asked staff to due an analysis of several equine farms in the County to determine equine related infrastructure coverage.

3. Confidential offers were opened by the SADC on this date for the 2008 Rd of County Easement Purchase State Cost-Sharing. Although results were not finalized, it appears that all three farms (see below; Section C, 2008 Rd.) will receive State cost-share funding.
4. Mr. Pace briefly reported on the SADC Process Review/County PIG program. He recently met with SADC staff and got further direction on the required Farm Plan. He also suggested that possibly a MCADB subcommittee be formed to assist with the ag economy component of the Plan.
5. Mr. Knox commented on a recent action by the NJ courts reaffirming the SADC's right of first refusal clause in 8-Year Program Agreements.

### B. Land Development Activity: None

### C. Status of Farmland Preservation Applications

- 2001 Round: One farm left  
Weidel/Burd: Staff reported that Ric Weidel has not responded to a CADB request, from last summer, for additional information to support his request to relocate the Exception area on this preservation application. Staff has requested a letter from the SADC saying that the funding for this farm will be reallocated if the preservation process is stalled any longer.
- 2002 Round – One farm left  
Zygmunt application still pending for issues involving the Turnpike and the historical significance of the house.

- 2007 Round – U-Pick State cost-share being finalized.
- 2008 Round – Washington Twp/Silver Decoy, Mercer County/Larry Tindall, and Mercer County/former UpdikeHerman farms appeared to be successful at the Confidential Offer letters opening. Ward did not make an offer.

#### VIII. OLD BUSINESS

##### A. Farm Monitoring –

Staff reported that the Bogatz farm had sold to Kevin and Sharon Kyle. The Kyle's own or farm several other farms in this area of East Windsor. Staff also reported that the owner of the old ostrich farm was storing non-ag related material on the Premises. Mr. Pace wrote to Mr. McDade, the landowner, and made a return visit with Ms. Floyd. They met with Mr. McDade and he assured them that the material would be removed shortly. Mr. Pace and Ms. Floyd will be making a return visit - likely in early June. Ms. Tindall said she would like to join them.

##### B. Radvany Update –

Staff reported that following the SADC request for a letter from Hopewell Township acknowledging the right of Mr. Radvany to access Rosedale Way for his house relocation request, it was discovered by all that the Township had never accepted the dedication of the road from the developer of the Rosedale way subdivision. Thus, the Township could not write a letter approving of the access. Alternatively, Mr. Radvany does have access to two other roads (Blackwell and Shara) but would need the CADB to review and approve a new proposal to extend the driveway from his proposed house to either of those two roads.

##### C. House Size Policy – Tabled until the next meeting.

#### IX. NEW BUSINESS

Staff requested that the Board act on Resolutions approving the three 2008 Round Cost-Share applications that submitted offers at the SADC Bid-Opening on this date.

Mr. Jany moved the adoption of a resolution endorsing the County purchase of the Township of Washington development easement on the Silver Decoy farm, Mr. Appelget seconded. The motion was unanimously approved.

Mr. Jany moved the adoption of a resolution endorsing the County applications for SADC cost-share of the County purchased development easement on the Larry and Michelle Tindall farm, and, SADC cost-share for a development easement on the County owned/former Updike&Herman farm. Mr. Bryan seconded. The motion was unanimously approved.

#### X. OTHER BUSINESS

None

#### XI. PUBLIC PARTICIPATION

None

#### XIII. ADJOURNMENT AND NEXT MEETING

The meeting was adjourned at 9:15PM. The next meeting of the MCADB will be June 4, 2007 at 7:30PM.

Respectfully submitted,

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3  
4 Daniel Pace  
5 MCADB, Secretary  
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7 Date adopted: August 6, 2007  
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9 Attachments and related correspondence, if any, are made a part of the permanent record and are filed  
10 with these minutes in the Agricultural Development Board Book located in the Mercer County Planning  
11 Division Office. All copies are available upon request.